

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. 18-CV-11559
)	
v.)	Judge Thomas L. Ludington
)	
RANDY J. CHAFFEE,)	Magistrate Judge Patricia T.
STATE OF MICHIGAN, and)	Morris
OTSEGO COUNTY,)	
)	
Defendants.)	
_____)	

**MOTION FOR STAY OF PRE-TRIAL DEADLINES
IN LIGHT OF LAPSE OF APPROPRIATIONS**

The United States of America hereby moves for a stay of the pre-trial deadlines in the above captioned case.

1. At the end of the day on December 21, 2018, the appropriations act that had been funding the U.S. Department of Justice (“Department of Justice”) expired and appropriations to the Department of Justice lapsed. The Department of Justice does not know when funding will be restored by Congress.

2. Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

3. The pending pre-trial deadlines in the above captioned case are as

follows:

Motions to Join Parties: February 1, 2019
Motion to Amend Pleadings: February 1, 2019
Discovery Cutoff: March 27, 2019
Dispositive Motion Deadline: April 26, 2019

4. Undersigned counsel therefore requests a stay of the above pre-trial deadlines until Congress has restored appropriations to the Department of Justice.

5. If this motion is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department of Justice. The Government requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations.

6. Randy Chaffee, State of Michigan, and Otsego County do not oppose the government's motion.

Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the Government hereby moves for a stay of the pre-trial deadlines in this case until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

RICHARD E. ZUCKERMAN
Principal Deputy Assistant Attorney General
Tax Division, U.S. Department of Justice

/s/ Pingping Zhang
PINGPING ZHANG (NY)
Trial Attorney, Tax Division
U.S. Department of Justice

P.O. Box 55
Washington, D.C. 20044
Tel: 202-305-2165
Pingping.Zhang@usdoj.gov

CERTIFICATE OF SERVICE

I certify that on January 8, 2019, I electronically filed the foregoing document with the Clerk of the Court using the ECF system, which will send notification of such filing to its participants.

I certify that on the same date, I mailed the foregoing document to Mr. Randy Chaffee via U.S. First Class Mail to:

Randy J. Chaffee
1794 McGregor Road
Vanderbilt, MI 49795

/s/ Pingping Zhang
PINGPING ZHANG
Trial Attorney, Tax Division
U.S. Department of Justice